Burma

Country Reports on Human Rights Practices - 2001

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Burma is ruled by a highly authoritarian military regime. Repressive military governments dominated by members of the majority Burman ethnic group have ruled the ethnically Burman central regions and some ethnic-minority areas continuously since 1962, when a coup led by General Ne Win overthrew an elected civilian government. Since September 1988, when the armed forces brutally suppressed massive prodemocracy demonstrations, the State Peace and Development Council (SPDC), a junta composed of senior military officers, has ruled by decree, without a constitution or legislature. The Government is headed by armed forces commander Senior General Than Shwe, although Ne Win, who retired from public office during the 1988 prodemocracy demonstrations, continued to wield informal influence. In 1990 the junta permitted a relatively free election for a parliament to which it had promised to transfer power. Voters overwhelmingly supported antigovernment parties, with the National League for Democracy (NLD) winning more than 60 percent of the popular vote and 80 percent of the parliamentary seats. Since the 1990's, the junta systematically has violated human rights in the country to suppress the prodemocracy movement, including the NLD, and to thwart repeated efforts by the representatives elected in 1990 to convene. Instead, the junta convened a government-controlled "National Convention" intended to approve a constitution that would ensure a dominant role for the armed forces. Since 1995 the NLD has declined to participate in the National Convention, perceiving both its composition and its agenda to be tightly controlled by the junta. Since October 2000, the Government has met with NLD general secretary and Nobel laureate Aung San Suu Kyi regarding the terms of a potential future transition to democracy. The substance of these talks remains secret but the results have included some loosening of government restrictions on NLD activities. More than a dozen armed ethnic groups continued to rule or to exercise some governmental functions in peripheral ethnic minority areas under various cease-fire agreements negotiated with the junta between 1989 and 1995. The judiciary is not independent of the junta.

Since 1988 the junta has more than doubled the size of the armed forces, from approximately 175,000 to more than 400,000 men, and has increased the Government's military presence throughout the country, especially in ethnic minority areas. The Government reinforces its firm military rule with a pervasive security apparatus led by the military intelligence organization, which was renamed the Defense Services and Intelligence Bureau (DSIB) during the year. Control is reinforced by arbitrary restrictions on citizens' contacts with foreigners, surveillance of government employees and private citizens, harassment of political activists, intimidation, arrest, detention, and physical abuse. The Government justifies its security measures as necessary to maintain order and national unity. Members of the security forces committed numerous, serious human rights abuses.

The country has a population of approximately 50 million. Average annual per capita income estimated to be approximately $300. Almost 4 decades of military rule and mismanagement have resulted in widespread poverty, poor health care, and low educational standards. Primarily an agricultural economy, the country also has substantial mineral, fishing, and timber resources. Economic growth has slowed since the mid-1990's, as the junta has retreated from economic liberalization. Extensive state influence over the economy, widespread corruption, and poor infrastructure remain problems.

The Government's extremely poor human rights record and longstanding severe repression of its citizens continued during the year. Citizens continued to be subject at any time without appeal to the arbitrary and sometimes brutal dictates of the military. Citizens do not have the right to change their government. There were credible reports, particularly in ethnic minority areas, that security forces continued to commit extrajudicial killings and rape. Disappearances continued, and members of the security forces tortured, beat, and otherwise abused prisoners and detainees. Prison conditions remained harsh and life threatening, although conditions have improved slightly in some prisons since the International Committee of the Red Cross (ICRC) was allowed access to prisons beginning in 1999. Arbitrary arrest and detention for expression of dissenting

political views continued to be a common practice, although this decreased to some extent during the year. After holding Aung San Suu Kyi incommunicado twice in September 2000, the Government continued to hold her under house detention throughout the year. Although the Government has allowed other NLD leadership members and representatives of foreign governments and international organizations to visit her on a regular basis, it has controlled such meetings. The Government has loosened restrictions somewhat on NLD activities, particularly in the Rangoon Division, and released approximately 202 political prisoners. However, in November the Government extended sentences for 10 political prisoners for an additional 7 years. At year's end, the Government continued to hold 20 members-elect of Parliament from the 1990 elections and over 800 NLD supporters as part of a government effort to prevent the parliament elected in 1990 from convening. Since 1962 thousands of persons have been arrested, detained, or imprisoned for political reasons; more than 1,500 political prisoners remained imprisoned at year's end. The judiciary is not independent, and there is no effective rule of law. However, the Government apparently has halted its campaign to intimidate independent lawyers by arbitrarily arresting and sentencing them on fabricated charges. The Government regularly infringes on citizens' privacy rights, and security forces continued to monitor citizens' movements and communications systematically, to search homes without warrants, and to relocate persons forcibly without just compensation or due process. During the year, persons suspected of or charged with prodemocratic political activity were subjected to regular surveillance and harassment. Security forces continued to use excessive force to violate international humanitarian law in internal conflicts against ethnic insurgencies. The Government also continued to forcibly relocated large ethnic minority populations in order to deprive armed ethnic groups of civilian bases of support.

The Government continued to restrict severely freedom of speech, press, assembly, and association. Since 1990 the junta has prevented the NLD and other prodemocracy parties from conducting normal political activities, pressured many thousands of members to resign from the NLD, and closed party offices nationwide. However, during the year, the Government allowed 31 NLD offices in the Rangoon Division to reopen, although it closely monitors NLD activities at these offices, as well as the activities of other political parties throughout the country. The junta recognizes the NLD as a legal entity; however, it refuses to accept the legal political status of key NLD party leaders, particularly Aung San Suu Kyi, and restricts their activities severely through security measures and threats. The junta continued to restrict freedom of movement and, in particular, foreign travel by female citizens.

The junta restricted freedom of religion; it maintained its institutionalized control over Buddhist clergy and restricted efforts by some Buddhist clergy to promote human rights and political freedom. The Government also coercively promoted Buddhism over other religions in some ethnic minority areas and imposed restrictions on certain religious minorities. Violence against the Muslim minority including incidents in which the Government may have been complicit, increased during the year. The Government imposed restrictions on certain religious minorities.

The Government did not allow domestic human rights organizations to exist and remained generally hostile to outside scrutiny of its human rights record. However, for the first time in 6 years, the government allowed the U.N. Special Rapporteur on Human Rights in Burma to visit the country. In September and October, the Government permitted a high-level team appointed by the ILO Director-General to travel extensively in the country to assess the situation regarding forced labor. During the year violence and societal discrimination against women remained problems, as did discrimination against religious and ethnic minorities. The Government continued to restrict worker rights, ban unions, and use forced labor for public works and for the support of military garrisons. Other forced labor, including forced child labor, also remains a serious problem, despite recent government ordinances outlawing the practice and the ILO's call for sanctions against the country. The forced use of citizens as porters by the army--with attendant mistreatment, illness, and sometimes death--remained a common practice. Trafficking in persons, particularly in women and girls mostly for the purposes of prostitution, remained widespread.

Ethnic insurgent forces reportedly committed numerous human rights abuses, including killings, rapes, forced labor, and the forced use of civilians as porters.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

In previous years, the Government killed persons for political reasons; however, there were no reports of political killings during the year. According to the Chin Human Rights Organization, a local nongovernmental organization (NGO), in June 2000, the commander of the 266th Light Infantry Battalion killed Zo Thang, a monitor for the NGO, as well as two associates, in Bung Khua village, Chin State (see Section 4). The incident

could not be confirmed independently.

There continued to be many credible reports of extrajudicial killings by soldiers of noncombatant civilians, particularly in areas of ethnic insurgencies (see Sections 1.g. and 5). The Shan Human Rights Foundation (SHRF) and the Karen Human Rights Group (KHRG), among others, reported numerous cases throughout the year of military troops killing civilians in border areas, often after confiscating property or torturing the individuals. For example, the SHRF reported that on January 2, army troops shot and killed six farmers on the outskirts of Nam-Zarng township who were attempting to divert water from a stream to their rice paddies. The SHRF reported that also in January, in the same area, a villager who was gathering firewood with his daughter was interrogated and beaten to death (see Section 1.c). Also in January, in Murng-Nai, military troops reportedly beat to death a Palaung villager in his house, raped his wife, and stole his property. While the reports appear credible, they are not confirmed by other independent sources.

There were credible reports that army soldiers shot and killed many unarmed ethnic Shan villagers in several incidents in the country during the year (see Section 1.g.). There were reports that soldiers raped and killed women and killed persons who sought to prevent such rapes (see Section 1.g.). According to SHRF, on March 30, SPDC troops gang-raped a woman in Murng-Ton township after the troops had tortured and killed her uncle (see Section 1.c.). According to the SHRF, on July 7, army soldiers killed 17 persons, including members of a Shan ceasefire group, who had come to work as day-laborers. In addition, the SHRF reported that seven villagers in Shan State who had lodged a complaint with SPDC military authorities regarding the increasing use of forced labor by the army were killed on July 14. The International Labor Organization's (ILO) High Level Team, which visited the country in September, reported the incident to Senior General Than Shwe. The ILO's governing body asked for a full explanation of the incident. In its reply, the Government maintained that the incident had never taken place and that the report was fabricated by the SHRF. There were numerous other reports of SPDC soldiers killing forcibly displaced persons who were unable to help locate Shan soldiers. According to the SHRF, there were reports in January that troops kicked and beat to death 3 villagers who denied knowing the whereabouts of Shan soldiers. On March 2 troops reportedly beat, tortured and killed 14 displaced villagers in Huay Pa Khi (see Section 1.c.).

Brutal treatment by soldiers also caused deaths among those conscripted as military porters. According to reports, porters who no longer are physically able to work often either are abandoned without medical care or assistance, or are killed. According to one report from the Karen National Union (KNU), at least 200 prisoners from the Tavoy jail in Tenasserim Division were conscripted by the army as laborers to construct a front-line camp. The prisoners were tied together in groups of five and guarded by 40 soldiers. As prisoners weakened and could no longer work, they were shot. A total of 11 of the prisoners reportedly were killed. There are similar credible reports of the use by the military of over 300 prisoners taken from jails in Shan State for use as porters. There were no reports that soldiers involved in past killings or other abuses were investigated or punished during the year.

As in previous years, some inmates died in prisons and labor camps, or shortly after being released from them, due to torture or denial of adequate medical care (see Section 1.c.). In July political prisoner Khin Maung Myint died of unknown causes in Kalay prison in the northwest.

Some insurgent groups also committed killings. According to the Government, the Karenni National Progressive Party killed seven villagers who refused to join their ranks in Loikaw Township on December 30. The Government also has alleged that the KNU killed three villagers in Thanbyuzayat Township on December 22. The KNU has denied responsibility for the killings.

b. Disappearance

Throughout the country, as in previous years, private citizens and political activists continued to "disappear" for periods ranging from several hours to several weeks or more, and many persons never have reappeared. The Government does not provide statistics on the number of persons who have disappeared and such statistics are otherwise unavailable. Such disappearances generally were attributed to government authorities detaining individuals for questioning without the knowledge of their family members, or the army's practice of seizing private citizens for porterage or related duties, often without the knowledge of their family members (see Section 1.c. and 6.c.). In many cases, the individuals who were detained for questioning were released soon afterward and returned to their families. Such tactics usually are intended to prevent free political expression or assembly (see Section 2.a.). The whereabouts of persons seized by army units to serve as porters, as well as of prisoners transferred for labor or porterage duties, often remained unknown. There also were reports of private citizens who were killed while serving as porters (see Section 1.a.). Families members generally learn of their fates only if fellow prisoners survive and later report information to the families.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

There are laws that prohibit torture; however, members of the security forces regularly tortured, beat, and otherwise abused prisoners and detainees and other citizens. The Government routinely subjected detainees to harsh interrogation techniques designed to intimidate and disorient. The most common forms of mistreatment are sleep and food deprivation, beatings coupled with around-the-clock questioning under bright lights, near suffocation with plastic bags, confinement in leg clamps, and forcing water in the nose and throat. There are credible first-hand reports that, during interrogations, officials place metal rods between prisoners' fingers and squeeze them in an attempt to injure the prisoners' hands, and pour hot wax on prisoners' backs. There continued to be credible reports that prisoners were forced to squat or assume stressful, uncomfortable, or painful positions for lengthy periods. According to SHRF, in early May, community leaders in Murng-ton were detained, then beaten and tortured, including by electric shocks, until they lost consciousness.

In late August 2000, during the first 2 days of a 9-day political standoff, security forces refused to permit local residents to distribute food, water, or medicine to Aung San Suu Kyi and a number of her NLD colleagues; they also interfered with several subsequent deliveries of provision and did not allow Aung San Suu Kyi access to her doctor. Aung San Suu Kyi later was placed under house arrest (see Sections 1.d., 2.d., and 3). In previous years, police sometimes beat NLD members during confrontations.

There continued to be many credible reports that security forces subjected citizens to harassment and physical abuse. The military forces routinely confiscate property, cash, and food, and use coercive and abusive recruitment methods to procure porters. Persons forced into porterage or other labor faced extremely difficult conditions, and beatings and mistreatment that at times resulted in death (see Sections 1.a., 1.g., and 6.c.). For example, according to an SHRF report, in February army troops forced 36 civilian porters, aged 18 to 57, in Murng-Sart township, to carry ammunition to military outposts in the Loi Larng area. One of the older porters, who reportedly became ill and could not continue, was beaten to death (see Section 1.a.). The report could not be confirmed by other independent sources.

According to the SHRF, the military requires all Rohingya farmers from a village in Northern Rakhine State to provide 10 days of labor a month to the military. If they arrived late for their duty, the local major reportedly forced them to roll down a bramble covered hill. Numerous other Rohingya men claim that all men from their village must work one day every 2 weeks as porters to carry food and ammunition to military camps near Bangladesh. The men claim that the trip is dangerous, and that the soldiers beat them with bamboo canes (see Section 5 and 6.c.).

For decades successive military regimes have applied a strategy of forced relocation against ethnic minority groups seeking autonomy; such forced relocations continued during the year, particularly along the Thai border. Thousands of villagers either fled or were driven from their homes, where they lived in makeshift forest shelters, frequently in heavily mined areas without adequate food, security, or basic medical care. The Karen Human Rights Group reported that the army and armed groups allied with the Government, such as the Karen Buddhist Army (DKBA), enter villages, and force villagers to relocate, confiscate their land and other property, and force them into labor.

Army members have beaten, raped, and killed persons who resist. There are numerous reports that SPDC troops loot and confiscate property and possessions from forcibly relocated persons, or persons who are away from their homes; these materials often are used for military construction.

Throughout the year, there were numerous credible reports of extensive government mistreatment and exploitation of farmers, particularly those unable to meet government quotas. Many farmers were forced to sell their crops, land, and cattle for significantly less than the market rate; some persons were detained, and the Government seized the property of others (see Sections 1.d.).

There were frequent reports that army soldiers and other army personnel raped women who were members of ethnic minorities, especially in Shan, Karenni, and Karen States (see Section 1.g.). The SHRF reported that army officers raped at gunpoint women who had been conscripted to work on the construction of a road between Murng-Pan township and Ton Hung (see Section 6.c.). The SHRF also reported that in Kholan village, after conscripting men and women into forced labor, army troops raped the women (see Section 6.c.). Corruption among local government officials is widespread and includes complicity in the trafficking of persons (see Section 6.f.).

The SHRF reported that beginning in April, army troops near Murng-Pan township have forced villagers to work on the construction of a road between Murng-Pan and Ton Hung. The military reportedly has required local residents to provide 80 laborers every 10 days on a rotational basis. Both men and women are conscripted and some of the women have been raped at gunpoint by the military. According to another SHRF report, army troops at Kho Lam village conscripted men and women to serve as forced laborers at their military outpost. At the camp, the women were separated from the men and reportedly raped. There were many

similar, unconfirmed reports throughout the year (see Section 5).

Members of insurgent forces also reportedly raped civilians.

Prison conditions generally remained harsh and life-threatening. The Government's Department of Prisons operates approximately 35 prisons and more than 100 labor camps throughout the country. Little is known regarding the conditions in labor camps, but reportedly the mortality rate of prisoners in labor camps is extremely high (see Section 6.c.). In the prisons, food, clothing and medical supplies reportedly are in very short supply. Bedding, if any, consists of a single mat on the floor. Prisoners must rely on their families, who are allowed to visit once every 2 weeks for 15 minutes per visit to provide for basic necessities. HIV infection rates in prison reportedly are high due to communal use of single syringes for injections. There also were credible reports that the health of several political prisoners deteriorated during the year, and that at least six died in prison (see Section 1.a.).

According to a report by the KNU, security forces reportedly shot and killed a total of 11 prisoners from Tavoy prison when the prisoners became too weak to continue to work on the construction of a military camp (see Section 1.a.).

Throughout the year, the Government transferred many prisoners, including NLD members, from Insein prison to prisons far from Rangoon, in which conditions are much harsher and where it is more difficult for families to visit them. There also were credible reports that at least a few prisoners have been denied adequate medical care. In July 1999, NLD member-elect of parliament Kyaw Min died of hepatitis that he contracted while in prison; he had been detained from 1996 to 1998 without trial and was released to his family just prior to his death. Tun Zaw Zaw, an NLD youth leader lost his sight while in detention; however, he had been released from Insein prison by year's end.

According to the Government, political detainees are separated from common criminals, juveniles from adults, and men from women. According to the ICRC, the Government states that political prisoners should not be subjected to hard labor.

International monitoring of prisons began in May 1999, when the ICRC was allowed unrestricted access to all prisoners in all prisons, detention centers, and labor camps. During the year, the ICRC visited all prisons in the country at least once and some as many as four times. ICRC visits to labor camps began in March 2000, and continued during the year. There reportedly are over 100 such camps, but 50 to 60 of them are temporary, existing only long enough to complete a specific work project. The ICRC emphasized to the Government the importance of providing for prisoners' basic needs, such as adequate access to drinking water and water for bathing. The Government allowed the ICRC to perform its traditional services, such as providing medications, delivering letters to and from prisoners, and providing support for family visits to prisoners; however, there were reports that political prisoners are moved to local hospitals or other locations before an ICRC visit.

d. Arbitrary Arrest, Detention, or Exile

There is no provision in the law for judicial determination of the legality of detention, and the SPDC routinely used arbitrary arrest and incommunicado detention. For example, after being held incommunicado twice in September 2000, Aung San Suu Kyi was held under house detention without charge throughout the year. Although the Government allowed visitors to meet with her, the visits were controlled (see Section 2.b., 2.d., and 3).

The Government arrested a small number of political activists early in the year. In March the Government sentenced seven Arakan political activists to 7 to 12 years in prison for allegedly inciting riots in the town of Sittwe. Also in March, the Government arrested a Zomi (Chin) National Congress official and sentenced him to 2 years in prison for unlawful association.

Prior to being charged, detainees rarely have access to legal counsel or their families. Political detainees may not be released on bail. Even after being charged, detainees rarely have the benefit of counsel. Some political detainees are held incommunicado for long periods. Section 10a of the Penal Code allows the authorities to extend sentences arbitrarily after prisoners have completed their original term. In 2000 the Government used this provision to extend the terms of at least five political prisoners; however, there were no reports of such extensions during the year.

In addition the sentences some political prisoners are arbitrarily extended after completing their original sentences. Countrywide, it is estimated that over 50 political prisoners are serving extended sentences, including Min Ko Naing, a former political activist and student leader who is reportedly in deteriorating health

(see Section 1.e.). In Mandalay 11 prisoners sentenced for political reasons, including Zaw Min, Ne Win, U Tin Aye Yu, U Tin Myint, U Tin Aye, U Khin Maung Thant, U Zarni Aung, U Thein Than Oo, U Kyaw Sein Maung, U Naing Myint, U Htay Nyunt, and Soe Myint have completed their terms, but have not been released. Some members-elect of parliament were released during the year, including 43 members-elect from detention and 24 members-elect from prison.

During the year, as part of the confidence-building associated with ongoing talks between Aung San Suu Kyi and the Government, the Government reduced its campaign of detention and intimidation against the NLD. In June the Government began releasing NLD political prisoners from "guest houses" and prisons. These releases totaled approximately 202 by year's end, and included all members of the NLD's Central Executive Committee (CEC), with the exception of Aung San Suu Kyi. Just prior to the visit of U.N. Special Envoy Ismail Razali in August, the Government released NLD Chairman U Aung Shwe and Vice Chairman U Tin Oo, who had been held under house detention since September 22, 2000. However, an estimated 1,500 political prisoners and detainees remained at the year's end, including 20 members-elect of the Parliament (see Section 1.e.).

Authorities continued to detain private citizens and political activists, some of whom disappeared, at times temporarily, at the hands of security forces (see Section 1.b.).

The Government has repeatedly detained and deported foreign journalists (see Section 2.a.).

During the year, there were complaints regarding extensive government mistreatment and exploitation of farmers; numerous farmers were held in custody for failing to meet local production requirements (see Section 1.c.). For example, in Karen State, armed KNPP units threatened farmers with death for nonpayment of taxes. If the farmer pays, the army then imprisons him for 3 years for unlawful association.

Since 1990 when the SPDC refused to recognize the results of the elections and pressured successful candidates to resign, some candidates, as well as thousands of political activists, went into forced exile rather than face threats.

e. Denial of Fair Public Trial

The judiciary is not independent of the military junta. The junta appoints justices to the Supreme Court which, in turn, appoints lower court judges with the approval of the junta. These courts then adjudicate cases under decrees promulgated by the junta that effectively have the force of law.

The court system, as inherited from the United Kingdom and subsequently restructured, includes courts at the township, district, state, and national levels.

Throughout the year, the Government continued to rule by decree and was not bound by any constitutional provisions providing for fair public trials or any other rights. Although remnants of the British-era legal system formally were in place, the court system and its operation remained seriously flawed, particularly in the handling of political cases. Unprofessional behavior by some court officials, the misuse of overly broad laws--including the Emergency Provisions Act, the Unlawful Associations Act, the Habitual Offenders Act, and the Law on Safeguarding the State from the Danger of Destructionists--and the manipulation of the courts for political ends continued to deprive citizens of the right to a fair trial and the rule of law. Pervasive corruption further serves to undermine the impartiality of the justice system.

Some basic due process rights, including the right to be represented by a defense attorney, generally were respected in criminal cases, but not in political cases that the Government deemed especially sensitive. In criminal cases, defense attorneys generally are permitted to call and cross-examine witnesses; however, their primary purpose is to bargain with the judge to obtain the shortest possible sentence for their clients. Moreover, defense attorneys appear to serve no purpose other than to perpetuate the pretense of a fair trial, since reliable reports indicate that senior military authorities dictate verdicts, regardless of the evidence or the law. In addition, in political cases, trials are not open to the public.

During 2000 the Government initiated an extensive campaign to remove the remaining independent lawyers in the country who might provide advice and counsel to the NLD. The Government arrested and sentenced under fabricated charges nearly every lawyer with perceived connection with the NLD. Cases included those of U Soe Han, a 77-year-old highly respected and nonpolitical lawyer, who was charged with having failed to inform the Government that he planned to stay overnight at his mother's house (see Section 1.f.). Authorities released U Soe Han following his wife's death; however, they rearrested him in September 2000, and sentenced him, along with several other prominent individuals, to 21 years in prison for sending a letter to Senior General Than

Shwe and Secretary One Khin Nyunt, urging the Government to release political prisoners and begin a dialog with the NLD. Altogether, the Government jailed more than 40 lawyers during 2000.

During the year, the Government apparently discontinued its campaign against the independent lawyers who might provide advice and counsel to the NLD. There were no new such arrests during the year and NLD members appeared to be able to retain the counsel of lawyers without fear of the lawyers being imprisoned. However, approximately 20 of the lawyers jailed in 2000 remained imprisoned at the year's end.

In December the SPDC continued to slowly release NLD members, with three releases of four prisoners each during the month. These 12 releases brought the total number of political prisoners released during the year to 202. During the latter half of the year, the releases became less frequent and most releases were of members whose terms were close to expiring or who were in poor health.

Opposition political parties have attempted to use the courts to enforce their political rights, thus far without success. In 1999 the Supreme Court dismissed suits brought by members of the NLD's central executive committee (CEC) against SPDC Secretary One, and Lt. General Khin Nyunt, the chief of military intelligence. The suits alleged that the military intelligence apparatus violated the rights of private individuals in connection with the detention of NLD members elected to parliament in 1990. The NLD CEC members also filed suit against other senior government officials for libel, fraud, and intimidation in connection with government-organized petitions of "no confidence" against NLD members-elect of parliament (see Sections 1.d. and 3). The hearing on these cases was closed to the public and, in both cases, the Supreme Court's verdict went against the NLD. On April 27, 2000, the Supreme Court dismissed an appeal by the NLD against the SPDC for illegally detaining and libeling members-elect of parliament. The Supreme Court ruled that a case could not proceed against a government official--in this case the head of military intelligence --if the Head of State did not grant permission. In September 2000, lawyers for the NLD began a suit against General Than Shwe and the Chairman of the Election Commission for failing to fulfill commitments made in regard to the transition to democracy. The suit was dismissed without a hearing by year's end.

In November 2000, the government allowed Aung San Suu Kyi's brother to file a suit against her seeking half ownership of the family compound in which she resides. The case widely was believed to be motivated politically, because the Government generally does not allow foreigners to file claims for property against citizens. In fact the Government had to grant a special authority to the brother for the case to be filed at all. The trial was public and lasted for several months. The case eventually was dismissed for having been filed improperly. However, the Government granted the brother authority to file a second suit, and in October the judge presiding over the case ruled that Aung San Suu Kyi's brother had the right to inheritance of the property under Buddhist customary law. The next hearing began in November and the case continued at year's end.

The ICRC reported that there were 1,500 political prisoners in the country. AI estimated in May that there were approximately 1,500 to 1,800 political prisoners. It also found that some political prisoners remained in custody despite having completed their sentences (see Section 1.d.).

Of the estimated 1,500 political prisoners at year's end, 17 NLD members-elect of Parliament. Among the remaining prisoners is U Aye Tha Aung, who represents four large ethnic groups in the CRPP. Arrested in 2000 and sentenced to three 7-year sentences, U Aye Tha Aung reportedly is in deteriorating health. Another prominent political prisoner is U Win Tin, a noted journalist and writer, who has been in prison since July 1989. He is 71 years old and also reportedly in poor health. Another high-profile political prisoner is Min Ko Naing, a student leader whose sentence was extended under law 10a and who reportedly is in Sittwe Prison and in deteriorating health (see Section 1.d.).

There were credible reports that the health of several political prisoners deteriorated during the year, and that at least six died in prison (see Sections 1.a., 1.c. and 1.d.).

The Government generally does not permit access to political prisoners by international humanitarian organizations; however, the ICRC has had access to prisons since 1999.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution does not provide for these rights and authorities infringed on citizens' privacy rights. The military Government interferes extensively and arbitrarily in the lives of citizens. Through its pervasive intelligence network and administrative procedures, the Government systematically monitored the travel of all citizens and closely monitored the activities of many citizens, particularly those known to be active politically. The law requires that any person who spends the night at a place other than his registered domicile inform the police in advance, and that any household that hosts a person not domiciled there to maintain and submit to

the police a guest list. In May 2000, U Soe Han, a lawyer for the NLD, was detained under this law for spending the night of May 27, 2000 at his mother's house (see Section 1.e.). U Soe Han later was released; however, he was re-arrested in September 2000 and sentenced to 21 years in prison. During the year, it appeared that the Government loosened enforcement of the restriction. However, there still were isolated reports of police entering homes at night without warrants to enforce compliance. Security personnel also commonly searched private premises and other property without warrants in other contexts.

Government employees generally are required to obtain advance permission before meeting with foreigners.

Government employees generally are prohibited from joining or supporting political parties; however, this proscription is applied selectively. In the case of the Government's own mass mobilization organization, the Union Solidarity and Development Association, the Government has used coercion and intimidation to induce many persons, including nearly all public sector employees, both to join the union and to attend meetings in support of the Government (see Sections 2.b. and 3).

In the past, government officials, including senior officials, repeatedly made statements in the state monopolized domestic media warning parents that authorities could hold them responsible for any political offenses committed by their children; however, there were no reports of this practice during the year. The Government's intelligence services also monitor the movements of foreigners and question citizens about conversations with foreigners. During the year, international NGO's were required to ensure that a representative from a government ministry accompanied them on all field visits (at the NGO's expense). However, the requirement appeared impractical and was not always enforced fully (see Section 4).

Marriages between female citizens and foreigners are banned; however, the ban has not been enforced.

Telephone service also is controlled tightly. Security personnel regularly screen private correspondence and telephone calls. Government authorities continued generally prevent citizens from subscribing directly to foreign publications (see Section 2.a.). However, during the year the Government loosened controls over the use of satellite television. In September the Government announced that the general population would be allowed to register satellite receivers for a small fee. Previously, only a few businesses and individuals with special connections to the Government were allowed licenses for satellite receivers. Since September there has been an increase in the number of satellite receiver sales.

The Government continues to control closely the licensing and rationing of all electronic communication devices, which are monitored closely. Possession of an unregistered telephone, facsimile machine, or computer modem is punishable by imprisonment (see Section 2.a.). In April 2000, an Indonesian citizen, Irawan Sidaria, and two local technicians were arrested under the statute for having installed an Inmarsat satellite telephone unit at the Asia Plaza Hotel in Rangoon. The communication equipment, which provided 10 telephone lines for overseas calls, had not been licensed by the state-owned Myanmar Posts and Telecommunications. Irawan Sidaria was deported to Indonesia in August 2000. According to the SHRF, in June SPDC troops confiscated approximately 30 mobile phones in Murng-Ton. Although no arrests were reported, troops threatened to punish citizens severely if they refused to turn over their mobile phones. In June 2000, Myanmar Posts and Telecommunications also announced that users of nonregistered cordless telephones in the country would face up to 3 years' imprisonment, or a fine of approximately $75 (30,000 Kyat), or both.

Weak private property rights and poor land ownership records facilitate involuntary relocations of persons by the Government. The law does not permit private ownership of land; it recognizes only different categories of land-use rights, many of which are not freely transferable. Postcolonial land laws also have revived the precolonial tradition that private rights to land are contingent upon the land being put to productive use.

To make way for commercial or public construction and, in some cases, for reasons of internal security and political control, the SPDC has relocated forcibly citizens to "new towns." Prevalent during the early 1990's, this practice has become somewhat less common in recent years. Persons relocated to new towns generally suffer from greatly reduced infrastructure support, and residents targeted for displacement generally are given no option but to move, usually on short notice (see Section 2.d.).

In rural areas, the military Government frequently forcibly relocated ethnic minority villagers. This practice was particularly widespread in the Shan, Kayah, and Karen States and in areas of Mon State and Pegu Division. In these areas, thousands of villagers were displaced from their traditional villages and moved into secure settlements in strategic areas. The forced relocations often are accompanied by demands for forced labor to build infrastructure for both villagers and army units and often have generated large refugee flows to neighboring countries or to parts of the country not controlled by the Government (see Sections 1.c., 2.c., 2.d., 5, and 6.c.). In some areas, the junta has replaced the original ethnic settlements with settlements of Burmans.

This was the case in Arakan State in 1999 and 2000, when the Government forcibly relocated several largely Muslim villages and resettled the area with Buddhist Burmans, who were forced to move from Dagon Township in Rangoon Division. In other areas, army units forced or attempted to force ethnic Karen to relocate to areas controlled by the DKBA (see Section 5).

Military units also routinely have confiscated livestock, fuel, food supplies, fishponds, alcoholic drinks, or money. Such abuses have become widespread since 1997, when the junta, to continue its military buildup despite mounting financial problems, ordered its regional commanders to meet their logistical needs locally, rather than rely on the central authorities. As a result, regional commanders have increased their use of extortion and of forced contributions of food, labor, and building materials throughout the country (see Sections 1.c., 5, and 6.c.).

In violation of humanitarian law, both army and insurgent units have used force conscription (see Sections 1.g. and 6.c.).

g. Use of Excessive Force and Violations of Humanitarian Law in Internal Conflicts

Since independence in 1948, the army has battled a series of ethnic insurgencies. Ethnic insurgent groups have sought to gain greater autonomy or, in some cases, independence from the ethnic Burman-dominated State. Since 1989 17 such groups have concluded cease-fire agreements with the Government. Under the agreements, the groups have retained their own armed forces and perform some governmental functions within specified territories inhabited chiefly by members of their ethnic groups. However, other groups remain in active revolt. The KNU has continued to conduct insurgent operations in areas with significant Karen populations in the eastern and southern regions of the country, including not only Karen State, but also Mon State, Tenasserim Division, and Pegu Division. In Kayah State, the Karenni National Progressive Party has resumed fighting against the Government since the breakdown of a cease-fire negotiated in 1995.

In central and southern Shan State, government forces continued to engage the Shan State Army (SSA). The military maintained a program of forced relocation of villagers in that region and there were credible reports of army killings, rapes, and other abuses. Border disputes with Thailand during the year exacerbated military abuses of civilian populations along the Thailand border. According to the SHRF, on May 4, in Kun-Hing township, SPDC troops killed five displaced farmers. The villagers previously had been resettled forcibly from surrounding villages by the army.

According to the SHRF, on March 30, SPDC troops gang-raped a woman in Murng-Ton township after the troops had tortured and killed her uncle (see Section 1.c.).

According to the SHRF, on April 27, government soldiers encountered four villagers near Naa Ing, Shan State. The soldiers found packets of rice, which the soldiers claimed the villagers were going to give to the SSA. The soldiers tied up the men and took the woman to a different location, where they raped her. They also required the villagers in the area to pay a substantial fine for the release of the four persons.

In another report by the SHRF, on May 19, army troops entered Laai Zan village in Saai Zan tract and arrested the village tract secretary, Zaai Zae-Ya, and another villager. The troops tied up the two men and took them to a military base in Kun Hing town, where they interrogated them regarding the SSA, beat them, and tortured them. Zaai Zae-Ya was killed during the interrogation; the fate of the other villager is not known. Neither incident could be verified independently.

In the Chin State there were reports that 3,000 Naga villagers fled the country into northeastern India in May when the army launched an offensive against Naga separatists. Army troops reportedly burned villages and laid landmines to discourage villagers from returning. A report from Chiang Mai, Thailand in May, stated that large numbers of Shan State inhabitants were relocating to the area as a result of the Government's frequent demands for forced labor and confiscation of lands (see Sections 2.d., 5, and 6.d.). One unconfirmed estimate suggested that as many as 10,000 Shan relocated to Thailand during the year.

The army conscripts children as young as the age of 14, especially orphans and street children (see Section 5).

Other active insurgent groups include the Chin National Front, the Naga National Council, the Rohingya Solidarity Organization, the Arakan National Organization, and the Karen National Liberation Army. Some antigovernment insurgent groups also committed serious abuses. For example, according to the Government, on December 30, the Karenni National Progressive Party killed seven villagers who refused to join their ranks in Loikaw Township. The Government also claimed that the KNU killed three villagers in Thanby Township on

December 22. The KNU denied responsibility for the killings.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law allows the Government to restrict freedom of speech and of the press and, in practice, the junta continued to restrict these freedoms severely and systematically during the year. The Government continued to arrest, detain, convict, and imprison many persons for expressing political opinions critical of the junta, and for distributing or possessing publications in which such opinions were expressed (see Sections 1.c., 1.d., and 1.e.). Security services also monitored and harassed persons believed to hold such political opinions. Many more persons refrained from speaking out due to fear of arrest, interrogation, and other forms of intimidation.

Legal restrictions on freedom of speech, already severe since the early 1960's, have intensified since 1996, when the junta issued a decree prohibiting speeches or statements that "undermine national stability." In all regions of the country, the military Government continued to use force to prohibit virtually all public speech critical of it by all persons, including persons elected to parliament in 1990, and by leaders of political parties. The Government has pursued this policy consistently since 1990, with few exceptions.

There was an unconfirmed report from the Democratic Voice of Burma that on August 1, military security personnel arrested a monk for delivering a sermon criticizing the economic and political conditions in the country at a ceremony at the Mahamyatmunni Payagyi Pagoda in Mandalay. The monk, Ashin Pandita, reportedly was arrested immediately by nearby military security personnel, derobed, and detained at the police station, where he remained at year's end.

The Government permitted the NLD to resume some public meetings during the year. However, in keeping with the confidence-building that has surrounded the talks between the government and Aung San Suu Kyi, the NLD moderated its criticism of the Government in these meetings. Nevertheless, on Labor Day (May 1) and on the anniversary of the NLD (September 27), some speeches critical of the government were delivered by opposition leaders, including NLD vice chairman U Tin Oo.

Many prominent writers and journalists remain in prison. In 1999 novelist Maung Tha Ya left the country and identified 20 prominent writers who then were in prison. The Paris-based organization Reporters Sans Frontieres reports that there were 13 journalists in prison during the year, including novelist and journalist San San Nweh, who was imprisoned in 1994 for a 10-year-term for passing information regarding human rights violations to international reporters and U.N. observers. He was released early in the year. Government censorship boards prohibit publication or distribution of works authored by those in prison, although in 2000 the Government allowed former political prisoners Ma Thida and U Sein Myint (also known as U Moe Thu), to write several magazine articles following their release from prison. At least one well-known publisher, Tin Maung Than, departed the country during the year in fear that his activities would lead to his imprisonment.

The local staff of international agencies also were detained, interrogated, and threatened by security forces in two separate incidents during the year. The security forces' actions apparently were prompted by the staffs' contacts with foreigners. At least some staff members were threatened with treason, an act punishable by life imprisonment. This was the first such overt attempt at intimidation of international agency staff in recent years. Some staff members were questioned and released the same day, others were held overnight in detention.

On November 29, Dr. Salai Tun Than, a 74 year-old was arrested for staging a political protest in Rangoon. According to witnesses, Dr. Salai Tun Than distributed copies of a petition asking for the regime to hold multiparty elections within one year. He was arrested and jailed and remains in Insein prison at year's end. His family was not informed of his incarceration for several weeks. On May 26, 2000, the junta announced that security forces had seized "inflammatory" leaflets, stickers, and calendars, and arrested Zaw Min Oo in the Bago Division. The published sheets allegedly were to be distributed within religious associations.

Between April and June 2000, the junta arrested an additional 11 persons for distributing antijunta leaflets and allegedly planning attacks on government buildings. In September 2000, the junta sentenced Chein Poh, a highly respected, 77-year-old lawyer in Rangoon, for allegedly distributing foreign publications with antiregime annotations written on the back. Although the regime presented no credible evidence to prove the charge, Chein Poh was sentenced to 14 years in prison (see Section 1.e.).

The Government owns and controls all daily newspapers and domestic radio and television broadcasting facilities. These official media remained propaganda organs of the junta and normally did not report opposing views except to criticize them. The one, partial exception was the Myanmar Times, an expensive English-

language weekly newspaper, targeted at the foreign community in Rangoon, which occasionally reported on criticism of the Government's policy by the United Nations and other organizations.

All privately owned publications remained subject to prepublication censorship by state censorship boards. Due in part to the time required to obtain the approval of the censors, private news periodicals generally are published monthly. However, since 1996 the Government has given transferable waivers of prepublication censorship for weekly periodicals. As a result, weekly tabloids have proliferated; however, government control encourages self-censorship, and publications remain subject in principle to government censorship, and they generally do not report domestic political news.

Imported publications remain subject in principle to predistribution censorship by state censorship boards, and possession of publications not approved by the state censorship boards remained a serious offense. Cases involving prodemocracy literature in the past were punished regularly by imprisonment. There was one such case during the year. The Government also restricts the legal importation of foreign news periodicals and discourages subscriptions to foreign periodicals. However, a limited selection of foreign newspapers may be purchased at hotels and bookstores in Rangoon (see Section 1.f.). Prior to August 2000, such foreign newspapers and magazines were censored regularly at the airport on arrival; however, during this year, they were distributed uncensored.

Since 1997 the Government has issued few visas to foreign journalists and has held only a handful of press conferences on political subjects. Journalists also occasionally are blacklisted. For instance, a journalist who wrote an article regarding Burma in an Australian newspaper reportedly was placed on a blacklist by the Government, which effectively barred his entry into the country. In previous years, several journalists who entered the country as tourists were detained and deported by the Government; however, there were no such reports during the year.

Due to widespread poverty, limited literacy, and poor infrastructure, radio remained the most important medium of mass communication. News periodicals rarely circulated outside urban areas, and most villages lacked access to electrical power, except from generators or batteries. The junta continued to monopolize and to control the content of all domestic radio broadcasting tightly. Foreign radio broadcasts, such as those of the British Broadcasting Corporation, Voice of America, Radio Free Asia, and the Democratic Voice of Burma, remained the principal sources of uncensored information; however, individuals were arrested for listening to these services during the year. In December 1999, U Than Chaun, the owner of a coffee shop in Shwe Coo township of Kachin State, was arrested and sentenced to 2 years' imprisonment with hard labor for having the radio in his coffee shop tuned to Voice of America. By year's end, it was not possible to verify whether U Than Chaun had been released.

The Government also continued to monopolize and to control tightly all domestic television broadcasting, offering only a government channel and an armed forces channel. However, the Government loosened restrictions on the reception of foreign satellite television broadcasts by allowing new licenses to be purchased. Previously, new licenses were not available and the operation of an unlicensed satellite television receiver was a crime punishable by up to 3 years in prison (see Section 1.f.). The Television and Video Law makes it a criminal offense to publish, distribute, or possess a videotape not approved by a state censorship board.

The junta continued to restrict access to electronic media severely and systematically. All computers, software, and associated telecommunications devices are subject to government registration, and possession of unregistered equipment is punishable by imprisonment (see Section 1.f.).

The Ministry of Defense operates the country's only known Internet server and has begun to offer Internet services selectively to a small number of customers. In December 1999, military intelligence officials closed down several private e-mail services and computer training schools. Only one, government-owned e-mail service was available at year's end. The country's first cybercafe opened in Rangoon in 1999, but does not offer patrons direct access to the Internet.

The Government continued to restrict academic freedom severely. University teachers and professors remain subject to the same restrictions on freedom of speech, political activities, and publications as other government employees. The Ministry of Higher Education routinely warns teachers against criticizing the Government. It also instructs them not to discuss politics while at work; prohibits them from joining or supporting political parties or engaging in political activity; and requires them to obtain advance ministerial approval for meetings with foreigners. Like all government employees, professors and teachers have been coerced into joining and participating in the activities of the Union Solidarity and Development Association (USDA), the Government's mass mobilization organization. Teachers at all levels also continued to be held responsible for the political activities of their students.

In June and July 2000, the Government reopened the remainder of the institutions of higher education that were closed in 1996 following widespread student demonstrations. However, the Government has taken a number of special measures to limit the possibility of student unrest. Campuses have been moved to relatively remote areas, teachers and students have been warned that disturbances would be dealt with severely, and on-campus dormitories have been closed. This has disrupted university life severely. There is evidence that many students have chosen to continue with self study because the universities deteriorated to such an extent during the time that they were closed, that they largely have become inaccessible.

b. Freedom of Peaceful Assembly and Association

The Government restricts freedom of assembly severely. An ordinance used by the junta officially prohibits unauthorized outdoor assemblies of more than five persons, although the ordinance is not enforced consistently. The 10 existing political parties also are required to request permission from the Government to hold meetings of their members; nevertheless, meetings occurred without government permission.

The military junta continued its systematic decade-long use of coercion and intimidation to prevent the parliament elected in 1990 from convening (see Sections 1.c., 1.d., 1.e., and 3). While the Government has loosened its restrictions on the activities of the main opposition party, the NLD, in Rangoon Division, it has not allowed NLD offices in other parts of the country to reopen. Similarly, while travel restrictions on all but the most senior NLD members have been loosened in Rangoon Division, travel restrictions on some NLD leaders in other parts of the country remain in place. The level of control exerted over NLD members appears to be the prerogative of the local area commander or township authorities. Some NLD members-elect of parliament who were released from prison are as a result reluctant to return to their districts for fear that they would not be allowed to return to Rangoon.

The Government forced the closure of three Shan National League for Democracy (SNLD) offices in townships near the capital of Shan State in May and September. However, according to press reports, the Government in late September reportedly told SNLD Chairman Khun Tun Oo that the actions had been a mistake. The Chairman reportedly stated that the Government told him to disregard the regional authority's directive and to continue with normal operations.

Throughout 2000 government authorities in various parts of the country used force to prevent prodemocracy demonstrations or to punish participants in them. Authorities detained or arrested and in many cases convicted and imprisoned persons suspected of planning such demonstrations; however, there were no such reports during the year (see Sections 1.d. and 1.e.). Approximately 100 NLD members who were arrested on September 21, 2000 for gathering at a Rangoon train station to see Aung San Suu Kyi off on her proposed trip to Mandalay, were released by year's end (see Sections 2.d. and 3).

The Government at times interfered with the assembly of religious group members. In Arakan (Rakhine) State early in the year, local authorities scheduled approximately 40 mosques for destruction because they reportedly were built without permission (see Section 2.c.). Thirteen mosques were destroyed before the authorities intervened. During the year in Rangoon, the Government reportedly closed more than 80 home-churches, a traditional gathering place for many Christians, because they did not have proper authorizations for religious meetings (see Section 2.c.).

In previous years, there were incidents during which security forces publicly beat NLD members as they attempted peaceably to assemble or attend meetings; however, there were no such incidents during the year (see Section 1.c.).

The Government severely restricts freedom of association, particularly in regard to members of the main opposition political party, the NLD. While the Government has allowed the NLD to celebrate certain key party events with public gatherings it has restricted the size of the gatherings and the individuals who were allowed to attend. For example, in September the NLD held a ceremony to commemorate the third anniversary of the Committee Representing the Peoples Parliament (CRPP) and the regime responded with MI personnel surrounding NLD headquarters. In September 2000, junta forces blocked all traffic from roads surrounding NLD headquarters, with a heavy military intelligence and riot police presence for two blocks on either side of the building. The Government also has prevented Aung San Suu Kyi from traveling to party meetings outside of Rangoon, stopping her four times in 1998 and once in 2000. During the year, Aung San Suu Kyi was unable to leave her house and therefore was unable to travel (see Section 2.d. and 3).

The Government campaign against the NLD intensified in 1998 when the NLD's national leadership first organized the CRPP. The campaign initially involved mass rallies and government-organized "recall" movements against members-elect of parliament. This was followed by direct pressure on individual NLD members. Throughout 2000 government media published hundreds of reports from localities across the

country that stated that NLD members had "voluntarily resigned" from the party in groups ranging in size from fewer than 10 to more than 1,000 persons. The reported number of NLD members who voluntarily resigned numbered in the tens of thousands.

In previous years, resignations from the NLD generally were coerced, according to the persons concerned. In some townships, authorities pressured NLD officers to resign, and then declared the local party organizations defunct, due to a lack of recognized officers. In other localities, NLD officials who refused to resign from the party were arrested or imprisoned on fabricated charges, and/or recall motions were mounted against them. Outside the capital, government pressure particularly was intense. In some cases, members-elect of parliament were required to register at police stations twice per day.

However, during the year, as a result of the initiation of talks between Aung San Suu Kyi and the junta, the government-controlled media has ceased its campaign against the NLD, and the Government loosened some restrictions on NLD party activity. Approximately 200 political prisoners were released, and several NLD offices were allowed to reopen in Rangoon and Mandalay.

In general the right of association exists only for government-approved organizations, including trade associations and professional bodies, such as the Forest Reserve Environment Development and Conservation Association. Few secular nonprofit organizations exist, and those that do exist take special care to act in accordance with government policy. Only 10 political parties are legally in existence, and most of those are moribund.

c. Freedom of Religion

The constitution permits both legislative and administrative restrictions on religious freedom, stating that "the national races shall enjoy the freedom to profess their religion. And provided that the enjoyment of any such freedom does not offend the laws or the public interest." Most adherents of all religions duly registered with the authorities generally are free to worship as they chose; however, the Government imposed restrictions on certain religious activities and frequently abused the right to religious freedom. In addition in practice the Government systematically restricted efforts by Buddhist clergy to promote human rights and political freedom, and coercively promoted Buddhism over other religions in some ethnic minority areas.

The Government operates a pervasive internal security apparatus, which generally infiltrates or monitors the meetings and activities of virtually all organizations, including religious organizations. Religious activities and organizations of all faiths also are subject to broad government restrictions on freedom of expression and association (see Section 2.a. and 2.b.). In addition, the Government subjects all publications, including religious publications, to control and censorship (see Section 2.a.). Such monitoring and control undermines the free exchange of thoughts and ideas associated with religious activities.

The Government requires religious organizations, like all organizations, to register. Although there is a government directive exempting "genuine" religious organizations from registration, in practice only registered organizations may buy or sell property or open bank accounts, which induces most religious organizations to register. Religious organizations register with the Ministry of Home Affairs with the endorsement of the Ministry for Religious Affairs. The State also provides some utilities, such as electricity, at preferential rates to recognized organizations.

There is no official state religion; however, the Government continued to show preference for Theravada Buddhism, the majority religion. State-controlled news media frequently depict junta members paying homage to Buddhist monks, making donations at pagodas throughout the country, officiating at ceremonies to open, improve, restore, or maintain pagodas, and organizing ostensibly voluntary "people's donations" of money, food, and uncompensated labor to build or refurbish Buddhist religious shrines throughout the country. State-owned newspapers routinely featured, as front-page banner slogans, quotations from the Buddhist scriptures. Buddhist doctrine remained part of the state-mandated curriculum in all elementary schools; however, individual children generally are permitted to choose not to receive instruction in Buddhism, although the Government at times deals harshly with those who do. The Government also funded the construction of the International Theravada Buddhist Missionary University in Rangoon.

The Government also has attempted to control the Buddhist clergy, although the clergy have resisted such control. The military junta prohibits any organization of Buddhist clergy other than nine state-recognized monastic orders, which submit to the authority of a state-sponsored State Clergy Coordination Committee ("Sangha Maha Nayaka Committee"--SMNC). The government also authorizes military commanders to try Buddhist clergy before military tribunals for "activities inconsistent with and detrimental to Buddhism," and imposes on Buddhist clergy a code of conduct that is enforced by criminal penalties. The junta also has subjected the Buddhist clergy ("sangha") to special restrictions on freedom of expression and association, and

has prohibited the ordination as clergy of any member of a political party.

In 1999 the senior abbots of five monasteries near Mandalay protested a new order by the regional military command that forbade Buddhist clergy to leave their township of residence without first surrendering their identity cards and obtaining written permission from local authorities. Persons other than Buddhist clergy generally were not subject to such severe restrictions on movement. In addition more than 100 monks were imprisoned in the 1990's for supporting democracy and human rights. Over half of the monks have been released; others have died in prison.

The Government continued to discriminate against members of minority religions, restricting the educational, proselytizing, and building activities of minority religious groups. There is a concentration of Christians among some of the ethnic minorities (for example, the Karen and Kachin) against which the army has fought for decades, although groups that practice Buddhism (for example, the Shan) also have waged many of the ethnic insurgencies.

Christian groups continued to have difficulties in obtaining permission to build new churches, while Muslims reported that they essentially are banned from constructing any new mosques. Buddhist groups are not known to have experienced similar difficulties in obtaining permission to build pagodas or monasteries. In parts of Chin State, authorities reportedly have not authorized the construction of any new churches since 1997. The Government reportedly also has denied permission for churches to be built along main roads in cities such as Myitkina, the capital of Kachin State. In Rangoon during the year, authorities closed more than 80 home-churches (a traditional gathering place for many Christians) because their operators did not have proper authorizations to hold religious meetings. At the same time, the authorities have made it increasingly difficult to obtain approval for the construction of "authorized" churches.

In most regions of the country, Christian and Muslim groups that seek to build small churches or mosques on side streets or other inconspicuous locations at times have been able to proceed, but increasingly only based on informal approval from local authorities. These groups report that formal requests encounter long delays and, especially for Muslims, generally are denied. However, obtaining an informal approval from local authorities creates a tenuous legal situation. For example, there were instances cited during the year in which local authorities or conditions changed and the informal approval for construction was rescinded abruptly.

Since the 1960's, Christian and Islamic groups have had difficulties importing religious literature into the country. Religious publications, like secular ones, remained subject to control and censorship (see Section 2.a.). Translations of the Bible and Koran into indigenous languages may not be imported legally, although Bibles may be printed locally in indigenous languages with government permission. However, state censorship authorities continued to enforce restrictions on the local publication of the Bible in particular, and Christian and Muslim publications in general. Although possession of publications not approved by the censors is an offense for which persons have been arrested and prosecuted in the past, there have been no reports of arrests or prosecutions for possession of any traditional religious literature in recent years.

Non-Buddhists continued to experience employment discrimination at upper levels of the public sector (see Section 5).

Government authorities continued to prohibit Christian clergy from proselytizing in some areas, often in support of local Buddhist populations opposed to the spread of Christianity. In at least one instance in the past, clergy were beaten to discourage proselytizing. Local military commanders, who often issue such orders, rarely cite any legal justification for their actions. In general the Government has not allowed permanent foreign religious missions to operate in the country since the mid-1960's, when it expelled nearly all foreign missionaries and nationalized all private schools and hospitals. The Government is not known to have paid any compensation in connection with these extensive confiscations. However, the Government has allowed a few elderly Catholic priests and nuns who have worked in the country since before independence to continue their work. At times, religious groups, including Catholics and Protestants, bring in foreign clergy and religious workers as tourists but are careful to ensure that their activities are not perceived by the Government as proselytizing. Some Christian theological seminaries established before 1962 also have continued to operate; however, during the year, military authorities forced a Bible school, which had been operating in Tamu Township in Sagaing Division since 1976, to close.

The authorities reportedly subjected Christian sermons to censorship. In the past, soldiers beat Christian clergy who refused to sign statements promising to stop preaching to non-Christians. Since 1990 government authorities and security forces, with assistance from monks of the Hill Regions Buddhist Missions, coercively have sought to prevent Christian Chins from proselytizing to Chins who practice indigenous religions.

There are credible reports that SPDC authorities systematically have repressed Muslims in certain areas and

forcibly relocated them from certain areas. For example, Arakan Muslims have been forced to donate labor, money, and materials toward buildings for the Buddhist community. There now are certain townships in Arakan State, such as Suchas, Thandwe, Gwa, and Taung-gut, that are "Muslim-free zones." Muslims no longer are permitted to live in the areas, mosques have been destroyed, and lands confiscated. To ensure that the mosques are not rebuilt, they have been replaced with government-owned buildings, monasteries, and Buddhist temples. Authorities also reportedly have issued a court order under which the killing of a Muslim is to be punished with a minimum of a 3-month sentence while, in contrast, the sentence for a Muslim hitting a Buddhist is 3 years. In northern Arakan State, the Government systematically destroyed mosques in some small villages early in the year. Local authorities already had destroyed 13 of approximately 40 mosques that had been designated for destruction before the United Nations High Commission for Refugees (UNHCR) was able to intervene and convince the Government to halt the activity. Typically little more than thatch huts, the mosques reportedly were constructed without proper authority by villagers who had difficulty reaching mosques in neighboring towns due to strict travel restrictions on Muslims.

There were periodic outbreaks of anti-Muslim violence in the country during the year. In February riots broke out in the town of Sittwe, the capital of Arakan State. There were various, often conflicting, accounts of how the riots began, but reports claimed that government security and firefighting forces did little to prevent attacks on Muslim mosques, businesses, and residences. After 4 days of rioting, security forces restored order. There are estimates that over 50 Muslim homes burned to the ground and that both Muslims and Buddhists were killed and injured. Since that time, the Government has tightened already strict travel restrictions for Muslims in the area, essentially preventing any Muslims from traveling between Sittwe and other towns in the region. In March seven Arakanese politicians were sentenced to between 7 and 12 years in prison for allegedly inciting the riots.

On May 15, anti-Muslim riots broke out in the town of Taungoo in the Bago Division between Rangoon and Mandalay (an estimated 2,000 of Taungoo's 90,000 inhabitants are Muslim). The riots followed the same pattern as those in Sittwe. There were varying accounts of what precipitated the fighting. After 2 days of violence the military restored order and the violence immediately ended, but not before there was widespread destruction of Muslim homes and businesses and, reportedly, several mosques. An estimated 10 Muslims and 2 Buddhists were killed in the violence.

There also were reports that local government authorities alerted Muslim elders in advance of the attacks and warned them not to retaliate to avoid escalating the violence. While the details of how the attacks began and who carried them out were unclear by year's end, the violence significantly heightened tensions between the Buddhist and Muslim communities during the year.

In 1991 tens of thousands (according to some reports, as many as 300,000) of the Muslim Rohingya minority fled from Arakan State into Bangladesh following anti-Muslim violence. Approximately 21,000 Rohingya Muslims remain in refugee camps in Bangladesh and many have refused to return to Burma because they feared abuses, including religious abuses (see Sections 2.d. and 5). The UNHCR has reported that authorities have cooperated in investigating incidents of renewed abuse of repatriated citizens. Rohingya Muslims continued to experience severe legal, economic, and social discrimination (see Sections 2.d. and 5).

There continued to be credible reports from diverse regions of the country that government officials compelled persons, especially in rural areas, to contribute money, food, or uncompensated labor to state-sponsored projects to build, renovate, or maintain Buddhist religious shrines or monuments. The Government calls these contributions "voluntary donations" and imposes them on both Buddhists and non-Buddhists (see Section 6.c.). In recent years, there were credible reports that Muslims in Arakan State have been compelled to build Buddhist pagodas as part of the country's forced labor program. These pagodas often were built on confiscated Muslim land. However, there were no known reports of forcing persons to build pagodas during the year. There also were reports of forced labor being used to dismantle temples and monasteries. For example, in July 2000, army troops from the 246th Infantry Division reportedly forced 54 men to dismantle several temples and monasteries in the forced relocation areas of Kun-Hing township; on August 10, 2000, the same troops again conscripted 87 workers from the same town and forced them to build a shelter for the lumber and tin sheets taken from the dismantled monasteries.

Authorities have attempted to prevent Chin Christians from practicing their religion. Military units repeatedly located their camps on the sites of Christian churches and graveyards, which were destroyed to build these camps; local Chin Christians were forced to assist in these acts. In addition the army reportedly also has taken over churches to use them for bases in remote areas. Since the early 1990's, security forces have torn down or forced villagers to tear down crosses that had been erected outside Chin Christian villages. The crosses often have been replaced with pagodas, which at times were built with forced labor. Some of the crosses had been erected in remembrance of former foreign missionaries while others merely were symbols of faith. There are reports that, while the Government still bans most of these crosses, permission has been granted to erect at least one cross in Southern Chin State. In July 2000, Captain Khin Maung Myint reportedly forcibly ordered the closure of all Christian schools in Tamu Township.

Since 1990 government authorities and security forces have promoted Buddhism over Christianity among the Chin ethnic minority in diverse and often coercive ways. This campaign, reportedly accompanied by other efforts to "Burmanize" the Chin, has involved a large increase in military units stationed in Chin State and other predominately Chin areas, state-sponsored migration of Buddhist Burman monks from other regions, and construction of Buddhist monasteries and shrines in Chin communities with few or no Buddhists, often by means of forced "donations" of money or labor. Local government officials promised monthly support payments to individuals and households that converted to Buddhism. Government soldiers stationed in Chin State reportedly were given higher rank and pay if they induced Chin women to marry them and convert to Buddhism. The authorities reportedly supplied rice to Buddhists at lower prices than to Christians, distributed extra supplies of foodstuffs to Buddhists on Sunday mornings while Christians attended church, and exempted converts to Buddhism from forced labor. In the past, there were credible reports that in Karen State's Pa'an township, army units repeatedly conscripted as porters young men leaving Sunday worship services at some Christian churches, causing them to avoid church attendance. Soldiers led by officers repeatedly disrupted Christian worship services and celebrations. There also were a number of credible reports that the army continued to force Chin to porter for it, both in Chin State and Sagaing Division. In addition the Army reportedly no longer takes rations with it, and rather lives off of local villagers often by force, although villagers reportedly were permitted to provide monetary compensation in lieu of such work. Local government officials ordered Christian Chins to attend sermons by newly arrived Buddhist monks who disparaged Christianity. In addition there were reports during the year that many Christian Chin were pressured and some were forced to attend monk school and Buddhist monasteries and then encouraged to convert to Buddhism. Local government officials separated the children of Chin Christians from their parents under the false pretenses of providing them free secular education and allowing them to practice their own religion, while in fact the children were lodged in Buddhist monasteries in which they were instructed in and converted to Buddhism without their parents' knowledge or consent. Since 1990 government authorities and security forces, with assistance from monks of the Hill Regions Buddhist Missions, have sought to coerce Chins, including children, to convert to Theravada Buddhism.

There were unconfirmed reports of governmental restrictions on the religious freedom of Christians among the Naga ethnic minority in the far northwest of the country. Such reports suggested that the Government sought to induce members of the Naga to convert to Buddhism by means similar to those it used to convert members of the Chin to Buddhism. However, reports concerning the Naga, although credible, are less numerous than reports concerning the Chin. During 1999 the first mass exodus of Naga religious refugees from the country occurred; more than 1,000 Christians of the Naga ethnic group reportedly fled the country to India. These Naga reportedly claimed that the army and Buddhist monks attempted to force them to convert to Buddhism and had forced them to close churches in their villages, then desecrated the churches. A particularly harsh military commander in the Naga area reportedly was removed from command in late 2000 and imprisoned for rape.

Religious groups of all faiths were able to establish and maintain links with coreligionists in other countries and travel abroad for religious purposes. However, the Government closely monitored their activities.

Religious affiliation at times is indicated on government-issued identification cards that citizens and permanent residents of the country are required to carry at all times. There appear to be no consistent criteria governing whether a person's religion is indicated on his or her identification card. Citizens also are required to indicate their religions on some official application forms, such as passports.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Government restricts freedom of movement. Except for limitations in areas of insurgent activity, most citizens were able to travel freely within the country, but were required to notify their local government of their whereabouts (see Section 1.f.). Urban and rural residents also are subject to arbitrary relocation.

The freedom of movement of opposition political leaders also is curtailed rigorously. The junta has allowed NLD general secretary Aung San Suu Kyi to travel outside the capital only once, on a visit to a monastery. During the year, Aung San Suu Kyi was unable to attend a ceremony in Oslo honoring her on the 10th anniversary of her receipt of the Nobel Peace Prize in 1991. On August 24, 2000, she was prevented from traveling to an NLD party meeting in Kungyangon, in the near vicinity of Rangoon, resulting in a 9-day roadside standoff, during which time she was denied access to her political followers. The standoff ended on September 2, 2000, when police took Aung San Suu Kyi and her companions into custody and detained them incommunicado at Aung San Suu Kyi's Rangoon residence until September 14, 2000. On September 21, 2000, the military Government again prevented her from traveling by train to Mandalay and detained her incommunicado in her house (see Sections 2.b. and 3). Aung San Suu Kyi remained under house detention at year's end. The SPDC similarly detained on both occasions other leaders of the NLD, including the vice chairman of the NLD, U Tin Oo. Since 1996 security forces also have restricted public movement along the street in front of Aung San Suu Kyi's residence. While travel restrictions on all but the most senior NLD

members have been loosened in Rangoon Division, travel restrictions on some NLD leaders, in other parts of the country remain in place (see Section 2.b.).

The Government refuses to accept Burmese deportees from other countries. The government allegedly refuses to document Burmese seafarers who are stranded abroad due to the sinking of their ship or bankruptcy of the ship owners.

The Government also carefully scrutinizes prospective travel abroad. Such control facilitates rampant corruption, as many applicants are forced to pay large bribes. The bribes for passports are sometimes as high as $3,000 (approximately 1.2 million Kyat), the equivalent of 10 years' salary for the average citizen. The official board that reviews passport applications has denied passports on political grounds. All college graduates who obtain a passport (except for certain government employees) are required to pay a special education clearance fee to reimburse the Government for the cost of their education. In February 2000, the Government issued new regulations regarding overseas employment passports that ultimately made it more difficult for citizens to travel overseas. However, citizens who had emigrated legally generally were allowed to return to visit relatives. Some who had lived abroad illegally and had acquired foreign citizenship also were able to return.

Those residents unable to meet the restrictive provisions of the citizenship law, such as ethnic Chinese, Arakanese, Muslims, and others, must obtain prior permission to travel. Since the mid-1990's, the Government also has restricted the issuance of passports to female citizens (see Section 5). In addition the Government prohibits foreign diplomats and foreign employees of U.N. agencies based in Rangoon from traveling outside the capital without advance permission.

Restrictions on foreign travelers have been eased as part of an effort to promote tourism. Burmese embassies now issue tourist visas, valid for 1 month, within 24 hours of application. However, select categories of applicants, such as foreign human rights advocates, journalists, and political figures are denied entry visas regularly unless traveling under the aegis of a sponsor acceptable to the Government and for purposes approved by the Government. In previous years, The Government also has detained and jailed several journalists; however, this did not occur during the year (see Section 2.a.).

There is a large number of internally displaced persons (IDP's) in the country. NGO's estimate that there could be as many as one million persons whom the SPDC has moved forcibly from their villages and districts and who now live near or along the Thai border (see Section 5). NGO's also estimate that an additional 1 million IDP's also might exist in various other locations throughout the country; however, it is very difficult to confirm specific numbers of IDP's.

For decades successive military regimes have applied a strategy of forced relocation against ethnic minority groups seeking autonomy, and such forcible relocations continue, particularly along the Thai border. During the year, the military continued to abuse thousands of villagers and drive them from their homes, including during the course of military campaigns in Karen, Kayah, and Shan States (see sections 1.a., 1.c., 1.g., 2.d., and 6.d.). For example, according to an August SHRF report, since early in the year, SPDC troops reportedly have confiscated thousands of acres of cultivated lands, including a number of plantations, to be used for building military bases. The persons who owned or lived on the land were told to relocate; in the process, troops reportedly arrested many villagers, looted homes, and raped numerous women. However, these incidents could not be independently confirmed.

Repressive government policies and the military's brutal treatment of members of ethnic insurgencies has produced hundreds of thousands of refugees who now reside primarily in Thailand, India, and Bangladesh. There are approximately 150,000 persons in refugee camps on the country's borders. Of these at least 135,000 Karen, Mon, and Karenni resided in refugee camps in Thailand. In addition there were tens of thousands of Shan refugees in Thailand not living in camps. On the country's western border, 20,000 Rohingya Muslims remained in refugee camps in Bangladesh (see Section 5).

Harassment and fear of repression continued to force many citizens into neighboring countries and beyond. The fear of persecution and deteriorating socio-economic conditions continue to drive many citizens into exile in neighboring counties. In the border regions populated by minority ethnic groups, the Government continued its policy of forced labor, confiscation of lands, compulsory contributions of food and forced relocations. These policies and rising costs due to economic mismanagement generate ever-increasing numbers of exiles in neighboring countries such as Thailand, China, and India. One report from Chin State claimed that 3,000 Naga villagers fled the country into northeastern India in May when the army launched an offensive against Naga separatists. The security forces reportedly burned villages and laid landmines to discourage villagers from returning. A report from Chiang Mai, Thailand in May stated that "droves" of Shan State inhabitants were relocating to the area as a result of the government's demands for forced labor, and forced relocation policies.

One unconfirmed estimate suggested that as many as 10,000 Shan may have relocated to Thailand during the year (see Section 1.g.).

The Government does not allow refugees or displaced persons from abroad to resettle or seek safe haven and has not formulated a policy regarding refugees, asylum, or first asylum. There were no reports that persons formally sought asylum in the country during the year. There were no reports of the forced return of persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change their Government

Citizens do not have the right to change their government. The military junta has waged a decade-long campaign of coercion and intimidation to prevent the parliament elected in 1990 from convening (see Sections 1.c., 1.d., and 1.e.).

Since 1962 active duty military officers have occupied most important positions in both the central Government and in local governments. Since 1988 a military junta has held all state power. All members of the SPDC have been military officers on active duty, and the junta has placed military or retired military officers in most key senior level positions in all ministries. By year's end, active duty or retired military officers occupied 37 of the 39 ministerial-level positions.

Following the NLD's victory in the 1990 elections, the military junta refused to implement the election results and disqualified, detained, or imprisoned many successful candidates (see Section 1.d. and 1.e.). Many other members-elect of parliament fled the country.

Rather than accept the will of citizenry as expressed in the 1990 election, the junta convened a national convention in 1993 to draw up principles for a new constitution. The junta handpicked most delegates, and carefully orchestrated the proceedings. Even limited opposition views were ignored. The junta gave the convention the task of drafting a new constitution designed to provide a dominant role for the military services in the country's future political structure. In 1995 the NLD withdrew from the convention and demanded a revision in working procedures so as to allow debate and meaningful participation by all parties in formulation of a new constitution. Two days after its withdrawal, the NLD was expelled formally. The national convention adjourned in 1996 and it has not reconvened. A final draft constitution never emerged from the national convention.

The military junta continued its systematic use of coercion and intimidation to deny citizens the right to change their government. In September 1998, the NLD leadership organized a Committee Representing People Parliament (CRPP) on the basis of written delegations of authority from a majority of the surviving members-elect of the 1990 parliament, in view of the junta's continued use of force to prevent the entire parliament from convening. The committee was empowered by those members-elect to act on behalf of the parliament until the parliament was convened. In retaliation the junta launched a sustained and systematic campaign to destroy the NLD without formally banning it; the authorities have pressured many thousands of NLD members and local officials to resign and closed party offices throughout the country. Military intelligence officials also detained over 200 members-elect of parliament in 1998, at least 20 of whom remained in detention at year's end; many were held without being charged formally (see Section 1.d.). Others were released in 2000 and during the year.

Among its other coercive tactics, the Government compelled citizens to participate in meetings that criticized NLD members-elect or called for the dissolution of the NLD (see Section 2.b.). In prior years, a majority of eligible voters in a number of townships had signed petitions expressing no confidence in NLD members-elect of parliament. These petitions were presented to local Multiparty Democracy General Election Commissions in formal ceremonies staged at mass rallies widely publicized by state-owned media. Both the CRPP in public statements and the NLD in lawsuits it filed to protest these activities credibly alleged that the Government and USDA officials generally obtained signatures for these petitions and participation in these mass rallies through systematic coercion and intimidation (see Section 1.e.). However, in contrast with previous years, very few, if any, members-elect of parliament were recalled during the year.

As a result of these measures, the Government's Multiparty Democracy General Election Commission announced in October 1999, that of 392 NLD members elected to parliament in 1990, only 92 remained both NLD members and members-elect of parliament. As for the rest, it claimed that 105 had resigned their parliamentary status, 139 had been disqualified by the commission, 27 had resigned from the NLD, and 31 had died. In contrast with these figures, the CRPP claimed in September 2000 to enjoy the support of 433 of the 485 members-elect of parliament.

Late in 2000, with encouragement from then-U.N. Special Representative Ismail Razali, the Government initiated talks with Aung San Suu Kyi that produced some relaxation in the restrictions on the NLD. In addition the NLD was able to resume some activities, and press attacks on the NLD and Aung San Suu Kyi ceased. However, after over a year, the talks still have not moved beyond the confidence building stage and have produced only modest results.

The percentage of women in government and politics does not correspond with their percentage of the population. Women also are excluded from military leadership. There were no female members of the SPDC, ministers, or Supreme Court judges.

Members of certain minority groups also were denied full citizenship and a role in government and politics (see Section 5).

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government does not allow independent human rights organizations to exist, and it remained generally hostile to outside scrutiny of its human rights record.

The military abuses human rights workers. For example, according to the Chin Human Rights Organization, in 2000 the army killed Zo Thang, a field monitor for the NGO, as well as two associates, in Bung Khua village, Chin State.

The Government's restriction on travel by foreign journalists, NGO staff, U.N. agency staff, and diplomats; its monitoring of the movements of such foreigners; its frequent interrogation of citizens concerning contacts with foreigners; its restrictions on the freedom of expression and association of citizens; and its practice of arresting citizens who passed information about government human rights abuses to foreigners all impeded efforts to collect or investigate information regarding human rights abuses. Reports of abuses, especially those committed in prisons or ethnic minority areas, often emerged months or years after the abuses allegedly were committed and seldom could be verified with certainty.

There are approximately 25 nonpolitical, international humanitarian NGO's working in the country. A few others have established a provisional presence while undertaking the protracted negotiations necessary to establish permanent operations in the country. Beginning this year, international NGO's must have a government ministry representative accompany them on all field visits, at the NGO's expense (see Section 1.f.).

The Government has refused to meet with representatives of the U.N. Commission on Human Rights (UNCHR), which repeatedly has criticized the Government's human rights record. However, for the first time in 6 years, the Government twice permitted the U.N. Special Rapporteur to visit the country. In a report issued after his visit, U.N. Special Rapporteur Pinheiro cited instances of positive change and pledged to work with the Government, the opposition, members of civil society, and the international community to promote human rights in the country. However, Pinheiro also cited problems, including the denial of fundamental freedoms of assembly, association, expression, and movement. Pinheiro also cited "the gross violations of human rights of civilians" living in areas of conflict in eastern Karen and Kayah States, southern Shan State, northern Sagaing Division, and Rakhine and Chin States.

The Government announced the creation of a Human Rights Committee during the year, which is to be chaired by the Minister of Home Affairs and also includes the Chief of Police. The Government also participated in workshops on human rights in Burma that were sponsored by the Australian government.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The military junta continued to rule by decree and was not bound by any constitutional provisions concerning discrimination.

Women

Domestic violence against women, including spousal abuse, appears to be relatively infrequent. The Government has not released comprehensive statistics regarding spousal abuse or domestic violence. Married couples often live in households with extended families, where social pressure tends to protect the wife from abuse.

Rape is illegal; however, spousal rape is not a crime unless the wife is under 12 years of age. The Government states that rape is not common in populated urban areas but occurs more often in remote areas. The Government has not released comprehensive statistics regarding rape.

Prostitution is prohibited by law and punishable with 3 years in prison; however, it is becoming an increasing problem, particularly in some of Rangoon's "border towns" and "new towns," which are populated chiefly by poor families that have been relocated forcibly from older areas of the capital. The Government and at least one international NGO operate schools and other rehabilitation programs for former prostitutes.

Trafficking in women for the purposes of prostitution also is a serious problem (see Section 6.f.).

In general women traditionally have enjoyed a high social and economic status and have exercised most of the same basic rights as men. Consistent with traditional culture, women keep their names after marriage and often control family finances. However, women remained underrepresented in most traditional male occupations, and women continued to be barred effectively from a few professions, including the military officer corps. Poverty, which is particularly widespread in rural areas, also affects women disproportionately.

There are no laws against sexual harassment. Women do not receive equal pay for equal work on a consistent basis. Women legally are entitled to receive up to 26 weeks of maternity benefits; however, in practice these benefits often were not accorded to women. In an effort to combat trafficking in women, the Government also has begun to discourage women from marrying foreigners and to restrict foreign travel by women. However, it has not enforced these restrictions consistently (see Sections 2.d. and 6.f.).

There are no independent women's rights organizations. The National Committee for Women's Affairs in the Ministry of Social Welfare is responsible for safeguarding women's interests. The Myanmar Maternal and Child Welfare Association, a government-controlled agency, provided assistance to mothers. A professional society for businesswomen, the Myanmar Women Entrepreneurs' Association, provides loans to new businesses.

Children

The Government continued to neglect the education of children, allocating a minimal level of resources to public education. According to the latest available statistics, government expenditures for all civilian education were equivalent to less than 1 percent of recorded gross domestic product during the year and have declined by more than 70 percent in real terms since 1990. According to government studies conducted with U.N. assistance, only 37 percent of children finished fourth grade in urban areas and only 22 percent did so in rural areas. Rates of school attendance and educational attainment decreased during the year, largely due to increasing formal and informal school fees, as the junta diverted expenditures from health and education to the armed forces. Teachers' salaries are far below subsistence wages and have forced many teachers to quit teaching out of economic necessity; on average, a teacher's pay is equal only to approximately 7 dollars (10,000 Kyats) monthly. Increasingly, only relatively prosperous families are able to afford to send their children to school, even at the primary level. In ethnic minority areas, the army often has banned teaching in local languages. In some areas in the center of the country, in which few families are able to afford unofficial payments to teachers, teachers generally no longer come to work and schools no longer function. In response to government neglect, private institutions have begun to provide assistance in education, despite an official monopoly on education.

Children also suffer greatly from the junta's severe and worsening neglect of health care. The junta has cut government expenditures on public health care even more sharply than it cut spending for education. Government expenditures for civilian health care in 1998-99 equivalent to only 0.3 percent of GDP. Government studies sponsored by U.N. agencies in 1997 found that, on average, 131 of 1,000 children died before reaching the age of 5 years, and that only 1 of 20 births in rural areas was attended by a doctor. Those same studies indicated that, of children under 3 years old, 37 percent were malnourished, and 13 percent were severely malnourished. The World Health Organization considers the country's health care system to be extremely poor.

Child abuse is prohibited by law. The Government states that child abuse is not a significant problem; however, the Government has not released comprehensive statistics regarding child abuse.

Child prostitution and trafficking in girls for the purpose of prostitution--especially Shan girls who were sent or lured to Thailand--continued to be a major problem (see Section 6.f.). While legislation criminalizing child prostitution and child pornography exists, it is enforced poorly. Reports from Thailand indicated that the rising incidence of HIV infection there has increased the demand for supposedly "safer" younger prostitutes, many of whom come from Burma. Trafficking in persons within the country appears to be a growing problem; however

there are no reliable statistics regarding its extent (see Section 6.f.). The Government does not help locate families of freed child trafficking victims to assist in their repatriation from Thailand.

The army conscripts children as young as the age of 14, especially orphans and street children. These children are deployed to training camps where they support the military combat forces. In combat areas, the military continued to force children to work as porters, and often subjected them to beatings (see Sections 1.g., 6.c., and 6.d.).

Persons with Disabilities

In principle official assistance to persons with disabilities includes two-thirds of pay for up to 1 year of a temporary disability and a tax-free stipend for permanent disability; however, in practice assistance is extremely limited. There is no law mandating accessibility to buildings, public transportation, or government facilities. While there are several small-scale organizations to assist persons with disabilities, most must rely on their families to provide for their welfare. Military veterans with disabilities receive available benefits on a priority basis. Because of landmine detonations, there are a large number of amputees.

Religious Minorities

The great majority of the country's population follows Theravada Buddhism. However, there are minorities of Christians (mostly Baptists, as well as some Catholics and Anglicans), Muslims (mostly Sunni), Hindus, and practitioners of traditional Chinese and indigenous religions. There are social tensions between the Buddhist majority and the Christian and Muslim minorities, largely due to government preference (although not in law) for non-Buddhists during the period of British colonial rule and for Buddhists since independence.

The Government discriminates against non-Buddhists at upper levels of the public sector. Only one non-Buddhist served in the Government at the ministerial level, and the same person, a brigadier general, is the only non-Buddhist known to have held flag rank in the armed forces since the 1990's. The Government actively discourages Muslims from entering military service, and Christian or Muslim military officers who aspire to promotion beyond the middle ranks are encouraged by their superiors to convert to Buddhism.

According to the Islamic Republic News Agency, there are credible reports that hundreds of Christian tribal Nagas in the country have been converted forcibly to Buddhism by the country's military. The persons were lured with promises of government jobs to convert to Buddhism, while those who resisted were abused and kept as bonded labor by the military (see Section 6.c.).

Members of the Muslim Rohingya minority in Arakan State, on the country's western coast, continued to experience severe legal, economic, and social discrimination. The Government denies citizenship status to most Rohingyas on the grounds that their ancestors did not reside in the country at the start of British colonial rule in 1824, as required by the country's highly restrictive citizenship law. In 1991 and again in 1997 and 1998, tens of thousands of Rohingya fled from Arakan State into Bangladesh following anti-Muslim violence alleged (although not proven) to have involved government troops. Most of those refugees since have returned, although 22,000 reportedly still remain in Bangladesh. In addition, more than 100,000 Rohingya live outside the camps with no formal documentation as refugees. Rohingyas who have returned to Arakan claimed that they faced government restrictions on their ability to travel and to engage in economic activity. In addition government authorities in Arakan State reportedly have forced Muslims to build Buddhist pagodas and provide porterage as part of the country's forced labor programs, and have confiscated land and produce, restricted their freedom of movement, and engaged in other abuses (see Sections 1.c., 2.d., and 6.c.). Because the Government reserves secondary education for citizens, Rohingya do not have access to state run schools beyond primary education and are unable to obtain most civil service positions.

There are credible reports that anti-Islamic booklets were distributed throughout the country in 1999. In addition in 1999 and 2000, the Government forcibly relocated approximately 200 Buddhist slum dwellers from Dagon township in Rangoon to Arakan State; the relocation had the dual effect of contributing to the elimination of slums in Rangoon, while increasing the population of Buddhist citizens in Arakan State. According to credible reports, in 2000 the Government opened several "model villages" for Buddhist families that had been relocated from other areas. The Government seized without compensation the land of the Rohingyas already residing in the areas to engage in construction and maintenance, including requisitioning food supplies. In addition, the Muslim Rohingyas often are forced to build Buddhist pagodas for the new arrivals (see Sections 2.c., 2.d., and 6.c.). Since 1994 when progoverment DKBA was organized, there has been armed conflict between the DKBA and the Christian led KNU. The conflict between the two groups has had strong religious overtones. During the year, there was increasing anti-Muslim violence. In May 6 persons were killed, and 20 injured, 120 Muslim shops and homes burned, and 6 mosques destroyed (see Section 1.a.). In addition, in October during clashes between Muslims and Buddhists in Pegu, Pyay, and Taungoo, an

undetermined number of persons were killed. An activist group based in Thailand alleged that another 100 persons were killed in a riot in southern Burma, during which members of the USDA clashed with Muslims in Pha-auk village. The violence significantly heightened tensions between the Buddhist and Muslim communities during the year (see Section 2.c.).

In June 2000, authorities claimed that on June 17, 2000, Karenni National Progressive Party insurgents shot and wounded a Catholic priest, Father Abe Lei, and took four other persons hostage in Kayah State. Other reports indicated that the priest was shot accidentally and the four persons taken hostage were not associated with him. The reports also indicated that the hostages have since been released.

National/Racial/Ethnic Minorities

Wide-ranging governmental and societal discrimination against minorities persists. Animosities between the country's many ethnic minorities and the Burman majority, which has dominated the Government and the armed forces since independence, continued to fuel active insurgencies that resulted in many killings and other serious abuses during the year. Some frequently reported abuses included killings, beatings, and rapes of Chin, Karen, Karenni, and Shan by mainly army soldiers (see Sections 1.a., 1.c., and 1.g.). Since the early 1990's, the junta has sought to pacify these ethnic groups through negotiated cease-fires, grants of limited autonomy, and promises of development assistance.

The Government continued to discriminate systematically against non-Burmans. National identity cards and passports generally indicate the ethnicity of non-Burmans, either explicitly or through the use of a personal title in the ethnic minority language rather than in Burmese. Ethnic minority areas that were remote from active insurgent operations, such as the large Karen areas of Irrawaddy Division, experienced tighter controls on personal movement, including more frequent military checkpoints, closer monitoring by military intelligence, and larger military garrisons, and hence more informal taxes, than comparable Burman areas.

Ethnic minority groups generally use their own primary languages. However, throughout all parts of the country controlled by the Government, including ethnic minority areas, Burmese remained the sole language of instruction in all state schools. Even in ethnic minority areas, primary and secondary state schools did not offer instruction in the local ethnic minority language, even as a second language. There were very few domestic publications in indigenous minority languages. In some ethnic minority areas, such as Chin State, there continued to be many reports that the army offered financial and career incentives for Burman soldiers to marry Chin women, teach them Burmese, and convert them to Buddhism. Since the early 1990's, there have been many credible reports that the junta resettled groups of Burmans in various ethnic minority areas. Evidence of such resettlement is visible along the Heho-Nyaungshwe road in Shan State and along the Mandalay-Mogok road toward Shan State.

The ethnic minority populations continued to claim that the Government has not addressed their concerns adequately. Economic development among minorities continues to lag, leaving many persons living below subsistence levels.

There are ethnic tensions between Burmans and nonindigenous ethnic populations, including Indians, many of whom are Muslims, and a rapidly growing population of Chinese, most of whom immigrated from Yunnan province and increasingly dominate the economy of the northern part of the country. Both groups have tended to be more commercially oriented and hence more prosperous and economically powerful than Burmans; however, such commercial success has caused resentment among the Burman majority.

Since only persons who are able to prove long familial links to the country are accorded full citizenship, nonindigenous ethnic populations (such as Chinese and Indians) are denied full citizenship and are excluded from government positions. Persons without full citizenship face restrictions in domestic travel (see Section 2.d.). They also are barred from certain advanced university programs in medicine and technological fields.

Section 6 Worker Rights

a. The Right of Association

The 1926 Trade Unions Act, which remained in effect, permits workers to form of trade unions only with the prior consent of the Government; however, no free trade unions exist in the country, and the junta has dissolved even the government-controlled union that existed before 1988.

By law workers generally are prohibited from striking, although a small number of workers are provided the right to strike. The last reported strike was in 2000, when an employer retracted its promise to pay piece rates.

Thirty workers were detained, many for up to 3 months. All lost their jobs.

In June the Committee on the Application of Convention and Recommendations of the International Labor Conference once again expressed profound regret regarding the persistence of serious discrepancies between the law and practice with respect to freedom of association. The Committee also criticized the Government for not implementing the provisions of ILO Convention 87 on Freedom of Association and Protection of the Right to Organize, which the Government ratified in 1955. In his testimony to the Committee, a government representative said that the Trade Unions Law was being revised, but that he could not provide the draft text at the present time.

No unions in the country are affiliated internationally. The Government forbids seafarers who find work on foreign vessels through the Seafarers Employment Control Division from contacts with the International Transport Workers' Federation and the Government often refused to document seafarers stranded abroad (see Section 2.d.).

In 1989 the U.S. suspended the country's eligibility for trade concessions under the Generalized System of Preferences program until steps were taken to afford its labor force internationally recognized worker rights.

b. The Right to Organize and Bargain Collectively

Workers do not have the right to organize and bargain collectively. The Government's Central Arbitration Board, which once provided a means for settling major labor disputes, has been dormant since 1988. Township-level labor supervisory committees exist to address minor labor concerns.

The Government unilaterally sets wages in the public sector. In the private sector, market forces generally set wages. However, the Government has pressured joint ventures not to pay salaries greater than those of ministers or other senior employees. Some joint ventures circumvented this with supplemental pay or special incentive systems. Foreign firms generally set wages near those of the domestic private sector but followed the example of joint ventures in awarding supplemental wages and benefits.

There are no export processing zones (EPZ's). However, there are special military-owned industrial parks, such as Pyin-Ma-Bin, near Rangoon, which attracts foreign investors. Another example is the 2,000-acre Hlaingthaya Industrial Zone in Rangoon; at least four companies are known to operate on its premises (see Section 6.c.).

c. Prohibition of Forced or Compulsory Labor

Forced or compulsory labor remains a widespread and serious problem. Although the Penal Code provides for the punishment of persons who impose forced labor on others, there are no known cases of the application of this provision. Throughout the country, international observers have confirmed that the Government routinely forces citizens to work on construction and maintenance projects. The law does not specifically prohibit forced and bonded labor by children, and forced labor by children occurs.

In 2000 the International Labor Conference determined that the Government had not taken effective action to deal with the "widespread and systematic" use of forced labor in the country and, for the first time in its history, called on all ILO members to review their relations with the Government and take appropriate measures to ensure that the Government would not be able to take advantage of such relations to perpetuate or extend the system of forced labor. The Government at first rejected the ILO's actions and statements; however, in September and October, it allowed an ILO assessment team to visit the country to review the status of the Government's efforts to eliminate forced labor.

Discussions between the ILO and the Government have continued. The ILO High-Level Team, following its 3-week visit to review forced labor in September, noted that the Government appeared sincere. However, the team found very little progress in practice and that forced labor remains a serious problem, especially in the ethnic areas near the borders and in villages near military camps. When the ILO Governing Body released its November report, it stated that it would again review the situation in March 2002 to determine whether the Government had made any progress.

In March the International Confederation of Free Trade Unions (ICFTU) found that women, children, and elderly persons, were required to perform forced labor; that porters often were sent into dangerous military situations, rarely received medical treatment, and almost never were compensated; that forced laborers frequently were beaten; and that some women performing forced labor were raped or otherwise abused sexually by soldiers (see Section 1.c.). The ICFTU report also included several cases of the military pressuring

on civilians to conceal the incidence and extent of forced labor from the ILO investigation team during the year.

In November the ICFTU submitted extensive new evidence to the ILO that the country's military authorities continued to resort to forced labor on a massive scale, including forced portering for the army, forced labor on roads and railroads, and forced supply of construction materials.

Many detailed credible reports indicate that in recent years, especially in areas inhabited chiefly by members of the Chin, Karen, Karenni, and Shan ethnic groups, army units have increased their use of forced labor for logistical support purposes, including to build, repair, or maintain army camps and roads, and to plant crops, cut or gather wood, cook, clean, launder, weave baskets, fetch water for army units and -- in the case of young women -- to provide sexual services to soldiers. The number of reports of such practices has increased since 1997, when the junta required regional military commanders to become more self-sufficient (see Sections 1.f. and 1.g.).

Authorities continued to impose forced labor, chiefly, although not exclusively, on rural populations, and imposed forced labor quotas on villages, households, or persons directly or through village headmen. Government authorities often allowed households or persons to substitute money or food for contributions of labor for infrastructure projects, but widespread rural poverty forced most households to contribute labor. The Government allocated funds to regional and local authorities to pay wages to at least some of the civilians on whom it imposed labor obligations; however, these wages were set at levels below the prevailing wage, and reports indicated that local authorities commonly did not disburse allocated funds to workers. Especially in ethnic minority areas, the army often deployed soldiers to guard persons engaged in forced labor; there also were reports that soldiers often beat and occasionally killed workers (see Sections 1.a. and 1.c.). In October Amnesty International stated that "the military frequently forces men, women and children from ethnic minorities to carry heavy loads over tough terrain for days or weeks at a time or to work on construction projects such as building railways, roads and dams." The organization reported that "hundreds" had died from exhaustion and beatings.

Government troops also forced villagers to eradicate opium poppy fields.

There are many specific examples of forced labor. According to the SHRF, since August hundreds of persons from 16 to 17 villages in Wan Zing tract have been working daily to fix a major road, approximately 40 miles long. Villagers are required to work, provide their own food, and bring their own working tools. Villagers reportedly claim that the use of forced labor by the local military authorities has increased. Beginning in February 2000, residents from the townships of Monywa, Kane, Min Kin, and Kalewa in Sagaing Division were forced to construct a new road along the Chindwin River from Monywa to Kalewa. Since May 2000, several villagers in Mawleik Township of Sagaing Division were forced to provide labor for the repair of the Thet Ke Kyin Homalin highway and bridges. Households that are unable to provide labor are forced to pay $0.75 to $6.75 (300 Kyat to 2,700 Kyat) per household. There also were reports that the Government used forced labor to construct infrastructure to support tourism. According to credible sources, in February 2000, the SPDC announced plans to develop the Karen hill town of Than Daung Cyi as a tourist "hill resort." Immediately after the announcement, new army battalions moved in, land was confiscated from the town's residents and surrounding villages, and persons began forced labor on a road to the hot springs at Ker Weh. In addition, since late 1998, the Government has used large amounts of forced labor on a project to double the country's cultivated land by developing 22 million acres of wetlands and virgin land. According to SHRF, SPDC troops have been confiscating lands, mostly woodlands, for military camps. For example, according to SHRF, since July 50 to 60 persons in Nam-Zarng township have been forced by SPDC troops to dig approximately one mile long irrigation ditch through a stretch of rice fields of the local farmers. In 2000 authorities in a township in Sagaing Division reportedly forced villagers to clear 1,000 acres of land or pay a fine of more than $8.75 (3,500 Kyat) per household. Authorities in Irrawaddy Division ordered residents of a village both to clear over 100 acres of land as part of a wetlands reclamation project, and to pay for equipment needed to clear the land.

There also have been credible reports that government officials and security forces compelled both Buddhists and non-Buddhists to contribute money, food, and uncompensated labor to build, renovate, or maintain Buddhist shrines or monuments. There also were reports in 2000 that forced labor was used to dismantle temples and monasteries (see Section 2.c.).

The army continued to force citizens--including women and children--to work as porters in military actions against ethnic insurgents. This practice continued to lead to illness and death (see Sections 1.a., 1.c., 6.d., and 6.f.).

Both the 1999 report of the ILO's Director General and reports by NGO's, including Amnesty International, described dozens of cases of forced porterage. Sources working with refugees among ethnic groups in Thailand also reported increased forced porterage during the last three months of the year and widespread

disregard for the ban on forced labor. According to local reports, in Northern Rakhine State, all of the men and boys of a village between the ages of 7 and 35 contribute 10 days per month of labor to the military. Local villages reportedly must provide males to the authorities every 2 weeks to serve as porters and to carry food and ammunition toward the border with Bangladesh to military camps. According to SHRF, in mid-June, SPDC troops forcibly conscripted 250 civilian porters, including 108 women and children, many of whom were between the ages of 8 and 16. Some children were forced to carry 6 cans of milk and some 10 rounds of mortar shells each, and were kicked and beaten when they could not move fast enough (see Section 1.g. and 6.d.). Rohingyas claim that their group is the only one in the area whose members are forced to serve as porters for the army, and that the nearby model villages that are populated by Buddhist Burmans from the cities are exempt from portering, forced labor, and forced contributions of foodstuffs (see Sections 2.d. and 5).

Parents routinely called upon their children to help fulfill their households' forced labor obligations, without government opposition (see Section 6.d.).

There were numerous, detailed, and credible reports during the year that forced labor, including forced child labor, was used directly in growing, harvesting, and transporting some crops, chiefly for army units. Widespread forced labor, including forced child labor, continued to contribute materially to the construction and maintenance not only of irrigation facilities important to the cultivation of some export crops, including rice, but also of roads and some railroads important for the transportation of exports to ports. Forced labor, including forced child labor, has contributed materially to the construction of industrial parks subsequently used largely to produce manufactured exports, including garments. According to two eyewitness accounts, forced labor was used to develop the Hlaingthaya Industrial Zone in Rangoon in 2000 (see Section 6.b.). There have been many credible reports that forced labor, including forced child labor, has been used widely since 1998 to clear and drain virgin lands and wetlands for the cultivation of crops, many of which, according to public descriptions of the Government's economic plans, are intended largely for export.

The Ministry of Home Affairs also operates forced prison labor camps for porterage, quarries, agriculture, livestock farms, roads and infrastructure, and other activities. Inmates sent to labor camps reportedly serve sentences that range from 6 months to 10 years; most are nonviolent offenders. The Government's use of prison labor reportedly has increased significantly in recent years. The prison labor camp system is reportedly the main recruiting ground for the military's most severely mistreated forced laborers, such as porters who die en route and civilians who are sent into mine fields. The mortality rate of prisoners in labor camps is reportedly extremely high (see Section 1.c.).

The authorities reportedly round up street children, provide them with military training, and forcibly conscript them (see Sections 5 and 6.d.).

Trafficking in women and girls to neighboring countries for the purpose of prostitution remained a serious problem (see Sections 5 and 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

Although the law sets a minimum age of 13 for the employment of children, in practice the law is not enforced. The Government has not ratified the ILO Convention on the Minimum Age requirement. Child labor has become increasingly prevalent and visible. Working children are highly visible in cities, mostly working for small or family enterprises. In the countryside, children work in family agricultural activities. Children working in the urban informal sector in Rangoon and Mandalay often begin work at young ages. Children are hired at lower pay rates than adults performing similar work. In the urban informal sector, child workers are found mostly in food processing, street vending refuse-collecting, light manufacturing, and as tea shop attendants. According to government statistics, 6 percent of urban children work, but only 4 percent of working children earn wages.

The law does not prohibit specifically forced and bonded labor by children; while bonded labor is not practiced, forced labor by children occurs (see Section 6.c.). The military Government reportedly uses children as porters in infrastructure development and in providing other services to military forces (see Section 6.c.). The authorities reportedly often round up orphans and street children in Rangoon and other cities and force them into military service (see Section 6.c.). Children also are forced to serve as porters in combat areas, in which beatings and other mistreatment reportedly occur (see Section 6.f.).

Households reportedly satisfy forced labor quotas by sending their least productive workers (usually children), and government authorities have accepted such workers in satisfaction of those quotas. Children often build or repair roads and irrigation facilities. In recent years, there have been growing numbers of reports that military units in various ethnic minority areas either forced children to perform support services, such as fetching water, cleaning, cutting bamboo, or cultivating food crops, or allowed households or villages to use children to satisfy army orders to perform such services (see Sections 1.f. and 6.c.).

Trafficking in girls to neighboring countries for the purpose of forced prostitution remained a serious problem (see Sections 5 and 6.f.).

The Government has not ratified ILO Convention 182 on the worst forms of child labor.

There are credible reports that insurgents also used women and children as porters.

e. Acceptable Conditions of Work

Only government employees and employees of a few traditional industries are covered by minimum wage provisions. The minimum daily wage for salaried public employees is $0.25 (100 Kyats) for what is in effect a 6-hour workday. Various subsidies and allowances supplement this sum. Neither the minimum wage nor the higher wages earned even by senior government officials provides a worker and family with a decent standard of living. Low and falling real wages in the public sector have fostered widespread corruption. In the private sector, urban laborers earn approximately $0.50 per day (200 Kyat), while rural agricultural workers earn approximately half that rate. Some private sector workers earn substantially more; a skilled factory worker earns approximately $12 per day (4,800 Kyat).

Surplus labor conditions, a poor economy, and lack of protection by the Government continue to dictate substandard conditions for workers. The 1964 Law on Fundamental Workers Rights and the 1951 Factories Act regulate working conditions. There are legally prescribed 5-day, 35-hour workweek for employees in the public sector and a 6-day, 44-hour workweek for private and state enterprise employees, with overtime paid for additional work. The law also allows for a 24-hour rest period per week, and workers have 21 paid holidays per year. However, in practice such provisions benefited only a small portion of the country's labor force, since most of the labor force was engaged in rural agriculture.

Numerous health and safety regulations exist, but in practice the Government has not made the necessary resources available to enforce the regulations. Although workers may in principle remove themselves from hazardous conditions, in practice many workers cannot expect to retain their jobs if they do so.

f. Trafficking in Persons

Although there are laws--including laws against abduction--that prohibit some aspects of trafficking in persons, no law is known specifically to prohibit trafficking, and trafficking in women and children is a severe problem. Trafficking for purposes of forced labor and porters is also a severe problem (see Section 1.c., 5, and 6.c.).

Burma is a country of origin for trafficking, primarily of women and girls, to Thailand and other countries for sexual exploitation and, factory labor, and as household servants. There also is internal trafficking of women and girls from areas of extreme poverty to areas in which prostitution is common, primarily in major cities and along the borders with Thailand, China, and India. Men and boys also reportedly are trafficked to other countries for sexual exploitation and labor, but this appears to be a small percentage of overall trafficking.

Thailand is believed to be the primary destination for trafficked Burmese citizens; other destinations include China, India, Bangladesh, Taiwan, Pakistan, Malaysia, Singapore, Japan, and countries in the Middle East. While most observers believe that the number of victims is at least several thousand per year, there are no reliable estimates of the total number of trafficked persons. The Government acknowledged that the problem exists and began creating a framework to address it. However, it has not committed sufficient resources to combat trafficking. The Government has not collected meaningful data on the incidence of trafficking, nor has it made any serious effort to arrest or prosecute traffickers. The Government has not facilitated the repatriation of trafficking victims or worked with international NGO's or other governments to address the problem. Corruption among local government officials is widespread and includes complicity in the trafficking of persons. There is evidence of government fraud in connection with the trafficking in persons, mostly resulting from the Government's control over persons.

Government efforts to stop trafficking in young women are limited and relatively ineffective, despite sporadic arrests. There are regulations forbidding girls under age 25 from crossing the border unless accompanied by a guardian. In recent years the Government has made it difficult for women to obtain passports or marry foreigners in order to reduce the outflow of women both as victims of trafficking and for other reasons (see Sections 1.f. and 2.d.). However, most citizens who were forced or lured into prostitution crossed the border into Thailand without passports. There also is evidence of fraud. It is illegal to leave the country without government authorization.

The Government has adopted the Bangkok Accord and Plan of Action Against Trafficking; there also is an

interagency task force on trafficking. However, the Government provides no assistance to repatriated victims.

A number of NGO's offer poverty alleviation and education programs designed to counter trafficking. Reportedly these programs have been moderately successful.